

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DEUTSCHE BANK TRUST COMPANY
AMERICAS, in its capacity as successor
indenture trustee for certain series of Senior
Notes, *et al.*,

Plaintiffs,

v.

SOWOOD ALPHA FUND LP, *et al.*,

Defendants.

C.A. No. 11-618 GMS

**NOTICE OF DISMISSAL AS TO
MELLON BANK N.A. EMPLOYEES BENEFIT COLLECTIVE INVESTMENT PLAN**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), plaintiffs hereby dismiss without prejudice all claims asserted in this action only, against defendant Mellon Bank N.A. Employees Benefit Collective Investment Plan.

ASHBY & GEDDES

/s/ F. Troupe Mickler IV

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